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C O N F I D E N T I A L SECTION 01 OF 02 NOUAKCHOTT 000078

SIPDIS

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TAGS: [PREL](#) [PGOV](#) [PHUM](#) [MR](#)

SUBJECT: ALERTING MAURITANIAN GOVERNMENT TO PROBABLE
CRITICISM OF HANEVY CONVICTION

REF: NOUAKCHOTT 75 AND PREVIOUS

Classified By: Ambassador Mark M. Boulware for reasons 1.4 (b and d)

11. (C) Ambassador met February 8 with Foreign Minister Naha Mint Mouknass and raised concern over the February 4 conviction of internet journalist Hanevy Ould Dahah (REFTEL).

The Ambassador noted that he had raised the case previously with the Foreign Minister, Justice Minister and Prime Minister. He also noted that the case had recently been subject to a Wall Street Journal editorial and that Secretary Clinton has made internet freedom one of her key policy objectives. The Ambassador noted that the Hanevy case had been a subject of significant concern raised by many offices during his recent consultations in Washington. While not presuming to be able to interpret Mauritanian law and procedure, the Ambassador noted that numerous national and international organizations had claimed the arrest, detention and conviction of Hanevy were all inconsistent with Mauritanian law. Regardless of the legal fine points, the perception abroad is that the Hanevy case demonstrates a lack of respect for rule of law or for freedom of expression on the part of the Mauritanian government. The Ambassador stressed that the case was becoming a policy obstacle for partners who wanted to re-engage with the Mauritanian Government and that allowing the case to persist did not appear to be in Mauritania's greater interests. The Ambassador told the Minister he fully expected there would be some public statement by the USG voicing concern over the case.

12. (C) The Foreign Minister received the Ambassador's message calmly and acknowledged that the government (as most previous Mauritanian governments) had done a particularly poor communications job that had allowed criticism of the case to build. She argued "if everyone understood the foundation of the case, there wouldn't be all these problems." Noting she was not a lawyer either, she acknowledged that there were public complaints over the legality of the processing of the case. She understood that there are at least eighteen other criminal complaints against Hanevy which she understood allowed for his continued incarceration between the end of his last sentence and his current conviction.

13. (C) The Minister forcefully attacked Hanevy as an unscrupulous and unsound rumor-monger whose righting reflected "10 percent political analysis and 90 percent personal attacks and rumor mongering." Herself a frequent target of his attacks (although they have never met), the Minister related having to explain to her mother that disgusting accusations about her personal life were not true. The Minister warned, "if he were released today and continued to write as he did in the past, he would soon be dead," suggesting one of the victims of his slander would eliminate him in an honor killing.

14. (C) Mouknass claimed that President Aziz was committed to freedom of expression. He had specifically rejected those

who urged that he shut down Hanevy's Taqadoumy website insisting he would not limit the right of the media to criticize but also noting he would hold journalists responsible for what they wrote. Mouknass said Aziz had met with Reporters Without Borders in Paris and had sought their assistance in helping Mauritania fill the legal void concerning internet press in such a way that would both preserve freedom of expression but also establish standards of media conduct. The Ambassador noted that a sincere effort to reach out to the media to tackle this difficult issue would be very useful.

15. (C) The Minister said she would discuss the Hanevy case with the Minister of Justice to better educate herself on the legal details of the case and that she would follow up with Reporters Without Borders to pursue the internet freedom initiative.

16. (C) Comment and Action Request: Mauritanian officials like Mouknass continue to focus on Hanevy's loose and slanderous journalistic still and avoid talking about whether the Government's prosecution met legal and procedural standards. The personal animosity against Hanevy overcomes concerns about due process to the extent that they are undermining the government's already tenuous international image. The Mission has tried to no avail to deal with the case through forceful, but private, diplomatic contacts. Continued silence will now be seen as tacit approval. Post recommends that the Department issue a statement of concern along the following lines:

"The United States was greatly concerned to learn that

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internet journalist Hanevy Ould Dahah was found guilty on February 4th of 'incitement to rebellion, contempt, and violating decency' in a controversial second trial when he had already more than served his original sentence of six months. Mauritanian and international observers have cited a number of irregularities in the handling of this case including Ould Dahah's continued detention after completing his sentence. We call on the Government of the Islamic Republic of Mauritania to scrupulously respect due process in this case in order to demonstrate its commitment to freedom of expression and the rule of law."

Mission is prepared to release such a statement locally, but we believe it will have significantly greater impact and influence if issued by Washington.
BOULWARE